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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re Reissue Application 09/912472 for Reissue of

Applicant : Mark F. McCarty
U.S. Patent No. : 5,929,066
Appl. No. : 09/110511
Granted : July 27, 1999
For : CHROMIUM/BIOTIN
TREATMENT OF TYPE II
DIABETES

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SUPPLEMENTAL REISSUE DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

As the below named Applicant, I hereby declare that:

My residence, Post Office Address and Citizenship is as stated below next to my name.

I believe that I am the original and first inventor of the invention described and claimed in the above-identified patent and of the invention described and claimed in the attached specification. I have reviewed and understand the content of the attached specification including the claims, as well as the claims referred to in this declaration. I acknowledge my duty to disclose information of which I am aware which is material to patentability as defined in 37 C.F.R. 1.56.

I believe that my original U.S. Patent No. 5,929,066, is wholly or partly inoperative or invalid by reason of the patentee claiming more or less than the patentee had the right to claim in the patent. Specifically, Applicant requests reissue of the above-referenced patent in order to add

Claims 11 and 12 which do not require both a reduction in hyperglycemia and the stabilization of the serum glucose level in an individual. Additionally, Applicant requests reissue of the above-referenced patent in order to add Claims 12-26 that exclude compositions having other active blood glucose serum ingredients. Claims 24, 25, and 26 provide ranges of chromium as chromic tripicolinate and biotin selected together to provide a greater than additive effect.

All errors being corrected in the reissue application up to the time of filing of this declaration, arose without any deceptive intention on the part of the Applicant/Patentee.

Please use **Customer No. 20,995** for all communications.

I have assigned the entire right, title and interest to said United States Letter Patent 5,929,066 to Nutrition 21, as evidenced by an assignment recorded in the records of the United States Patent and Trademark Office at Reel 9304, Frame 0982.

All statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 1/28/02

By: 

Mark F. McCarty

Citizenship:

United States

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San Diego, California 92109

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